

Article - Family Law

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§5-3A-19.

- (a) (1) Consent of a parent may include a waiver of the right to notice of:
 - (i) the filing of a petition under this subtitle; and
 - (ii) further proceedings under this subtitle.
- (2) Consent to guardianship is not valid unless the consent:
 - (i) is given after the child for whom guardianship is sought is born;
 - (ii) is given in a language that the party understands;
 - (iii) if given in a language other than English:
 - 1. is given before a judge on the record; or
 - 2. is accompanied by the affidavit of a translator stating that the translation of the document of consent is accurate;
 - (iv) contains an express notice of:
 - 1. the right to revoke consent, at any time within 30 days after the person signs the consent, unless the revocation is barred under subsection (b)(2) of this section;
 - 2. the search rights of adoptees and parents under § 5-3A-42 of this subtitle and the search rights of adoptees, parents, and siblings under Subtitle 4B of this title; and
 - 3. the right to file a disclosure veto under § 5-3A-42 of this subtitle; and
 - (v) is accompanied by an affidavit of counsel appointed under § 5-3A-07(a) of this subtitle stating that a parent who is a minor or has a disability consents knowingly and voluntarily.

(b) (1) Subject to paragraph (2) of this subsection, a person may revoke consent to guardianship at any time within 30 days after the person signs the consent.

(2) A parent may not revoke consent for guardianship of a child if:

(i) in the preceding year, the parent has revoked consent for or filed a notice of objection to guardianship of the child; and

(ii) the child is at least 30 days old and consent is given before a judge on the record.

(c) If a petitioner becomes aware, before a court rules on a petition, that a condition of consent under § 5-3A-18(b) of this subtitle cannot be fulfilled, the petitioner promptly shall:

(1) file notice with the court;

(2) give notice to all of the other parties;

(3) if consent was received from a governmental unit or person who is not a party, give notice to that unit or person; and

(4) (i) if the unit or person enters into a new consent, file the consent with the court; or

(ii) if the unit or person fails to enter into a new consent, dismiss the petition.

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